

1 D. Victoria Baranetsky (SBN #311892)
THE CENTER FOR INVESTIGATIVE REPORTING

2 1400 65th St., Suite 200
3 Emeryville, CA 94608
4 Telephone: (510) 809-3160
5 Fax: (510) 849-6141
vbaranetsky@revealnews.org

6 Attorney for Plaintiff

7 ALEX G. TSE (CABN 152348)
Acting United States Attorney
8 SARA WINSLOW (DCBN 457643)
Chief, Civil Division
9 ROBIN M. WALL (CABN 235690)
Assistant United States Attorney

10 450 Golden Gate Avenue, Box 36055
11 San Francisco, California 94102-3495
12 Telephone: (415) 436-7071
13 Fax: (415) 436-6748
robin.wall@usdoj.gov

14 Attorneys for Defendant

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 THE CENTER FOR INVESTIGATIVE
REPORTING,

19 Plaintiff,

20 v.

21 UNITED STATES DEPARTMENT OF
22 JUSTICE,

23 Defendant.

) CASE NO. 3:17-cv-06557-JSC
)

) **STIPULATION REGARDING BRIEFING**
) **SCHEDULE AND CASE MANAGEMENT**
) **CONFERENCE SCHEDULING; PROPOSED**
) **ORDER**
)

24
25 **STIPULATION**

26 Plaintiff The Center for Investigative Reporting (“CIR” or “Plaintiff”) and Defendant United
27 States Department of Justice (“DOJ” or “Defendant”) respectfully submit a proposed briefing schedule
28 for summary judgment in this Freedom of Information Act (FOIA) case. The parties also respectfully

STIPULATION RE BRIEFING SCHEDULE
17-CV-06557 JSC

1 request that the Court vacate the April 5, 2018, case management conference as unnecessary; or, in the
2 alternative, continue the conference to April 19, 2018, to accommodate a scheduling conflict for
3 defendant's counsel.

4 WHEREAS the parties have worked to resolve their dispute and have substantially narrowed the
5 issues to submit to the Court for its consideration;

6 WHEREAS the remaining issue in the case presents a legal question regarding the release of
7 firearms tracing data from the National Tracing Center of the Bureau of Alcohol, Tobacco, Firearms and
8 Explosives that the parties have not been able to resolve and believe should be submitted to the Court;

9 WHEREAS the parties propose the following briefing schedule to resolve the remaining issue in
10 this FOIA litigation:

11 April 26, 2018: Defendant's motion for summary judgment

12 May 24, 2018: Plaintiff's opposition

13 June 7, 2018: Defendant's reply

14 June 21, 2018: Plaintiff's sur-reply

15 June 28, 2018: Hearing on the motion

16 WHEREAS the parties do not believe that a case management conference is necessary at this
17 time and believe that the conference currently scheduled for April 5, 2018, should be vacated;

18 WHEREAS defendant's counsel has a settlement conference before Magistrate Judge Sallie Kim
19 in another case scheduled for April 5, 2018, that presents a conflict with the case management
20 conference currently scheduled for the same day; and

21 WHEREAS, in the event that the Court does not vacate the case management conference, the
22 parties believe that the conference should be continued to April 19, 2018, to accommodate counsel's
23 scheduling conflict.

24 For these reasons, the parties respectfully request that the Court order the requested briefing
25 schedule and vacate the case management conference currently scheduled for April 5, 2018, or, in the
26 alternative, continue the case management conference to April 19, 2018, or another convenient date for
27 the Court.
28

1 Dated: March 29, 2018

ALEX G. TSE
Acting United States Attorney

2
3 /s/ Robin M. Wall

Robin M. Wall
Assistant United States Attorney
Attorneys for Defendant
U.S. Department of Justice

4
5
6 Dated: March 29, 2018

D. VICTORIA BARANETSKY

7 /s/ D. Victoria Baranetsky

8 D. Victoria Baranetsky
9 Attorney for Plaintiff
Center for Investigative Reporting

10
11 **CERTIFICATION**

12 Pursuant to Civil Local Rule 5-1(i)(3), the undersigned hereby attests that Victoria Baranetsky
13 has concurred in the filing of this document.

14 Dated: March 29, 2018

ALEX G. TSE
Acting United States Attorney

16 /s/ Robin M. Wall

17 Robin M. Wall
Assistant United States Attorney
Attorneys for Defendant
U.S. Department of Justice

PROPOSED ORDER

For good cause shown, the briefing schedule on defendant's anticipated motion for summary judgment shall be as follows with the parties' briefs due on or before the following dates:

April 26, 2018:	Defendant's motion for summary judgment
May 24, 2018:	Plaintiff's opposition
June 7, 2018:	Defendant's reply
June 21, 2018:	Plaintiff's sur-reply
June 28, 2018, 9 a.m.:	Hearing on the motion

The case management conference currently scheduled for April 5, 2018, is hereby vacated.

[OR IN THE ALTERNATIVE

The case management conference currently scheduled for April 5, 2018, is continued to April 19, 2018, at 1:30 p.m.]

SO ORDERED.

Dated: _____, 2018

HON. JACQUELINE SCOTT CORLEY
United States Magistrate Judge